

## REMARKS/ARGUMENTS

Claims 2, 4-7, 9-15, and 26-32 are pending. Claim 3 has been cancelled. Claims 2 and 4 have been amended.

The Examiner objected to claim 2, stating that in claim 2, line 13, the word "a" should be deleted. Claim 2 has been amended accordingly.

The Examiner rejected claims 2, 12, 15, and 29-30 under 35 U.S.C. 102, as being anticipated by Dandl (U.S. Patent 5,370,765).

Claim 2 has been amended to recite the limitation of claim 3, which is now canceled. This limitation from claim 3, was not cited by the Examiner as being anticipated by Dandl. For at least these reasons, claim 2, as amended, is not anticipated by Dandl.

The Examiner rejected claims 3-7, 10-11, 26-28, and 31-32 under 35 U.S.C. 103 (a) as being unpatentable over Dandl (U.S. Patent 5,370,765) in view of Kadomura (U.S. Patent 6,096,160). Claim 3 has been canceled, and the limitation of claim 3 has been added to claim 2. It would not be obvious to combine Dandl with Kadomura to obtain the invention as recited in claim 2, as amended. The Examiner stated that Kadomura discloses a plurality of magnetic elements 54 that can be situated in a variety of positions and extend from a first end of the process chamber to a chuck, as shown in fig. 4 and col. 10, lines 1-9. The section of Kadomura, cited by the Examiner, cites "a magnet 54", col. 10, line 2, and "The magnet" col. 10, line 5. Element 54 of Kadomura is not a plurality of magnets, as stated by the Examiner, but a single magnet. Kadomura further states that this single ring magnet may be replaced by a solenoid coil.

In addition, it would not be obvious to obtain from the single magnet 54 of Kadomura a plurality of magnets as claimed. Kadomura discloses a single magnetic ring extending from the first end of the process chamber to the chuck. It would not be obvious how the single magnetic ring of Kadomura would be replaced by a plurality of magnets each extending from the first end of the process chamber to the chuck, as claimed. How this would be done is not

suggested by Dandl. For at least these reasons, claim 2, as amended, is not made obvious by Dandl in view of Kadomura.

The Examiner rejected claims 9 and 13-14 under 35 U.S.C. 103 (a) as being unpatentable over Dandl (U.S. Patent 5,370,765) in view of Kadomura (U.S. Patent 6,096,160) and further in view of Taira et al. (U.S. Patent 6,153,977).

Claims 4-7, 9-15, and 26-32 each depend either directly or indirectly from independent claim 2, and are therefore respectfully submitted to be patentable over the art of record for at least the reasons set forth above with respect to independent claim 2. Additionally, these dependent claims require additional elements that when taken in the context of the claimed invention, further patentably distinguish the art of record. For example, claim 14 further recites that the magnetic elements are individually contained within sleeves. None of the cited references recite that the magnetic elements are individually contained within sleeves. Taira, in col. 4, lines 15 to 62, teaches that if a plurality of magnetic elements 5 and 5' are used, then all magnetic elements are placed in the same sleeve, not individually contained within sleeves. It is only when one permanent magnet is used, as shown in fig. 4, that the single permanent magnet is individually contained in a sleeve. The teaching of when only one magnet is used it is placed in an individual sleeve, does not make obvious a plurality of magnetic elements where each magnetic element is in an individual sleeve. In addition, none of the references recites sleeves (plural). None of the references teaches more than one sleeve. Therefore, it would not be obvious under the cited references to use both a plurality of magnetic elements and have each magnetic element individually contained within sleeves.

Claim 15 further recites that at least one of the magnetic elements is moved so that the magnetic field shifts over time. Movement of the band 51 is not movement of the magnetic elements, but instead is a movement of a band 51 next to the magnetic elements. For at least these reasons, claims 4-7, 9-15, and 26-32 are not anticipated or made obvious by the cited references.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe

that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number (831) 655-2300.

Respectfully submitted,  
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